

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

Mark Edward Riehl

Confirmation No.: 7399

Application No.: 10/825,043

Group Art Unit: 3735

Filing Date: April 15, 2004

Examiner: Christine D. Hopkins

For: METHOD AND APPARATUS FOR DETERMING THE PROXIMITY OF A  
TMS COIL TO A SUBJECT'S HEAD

Filed Via EFS

INFORMATION DISCLOSURE STATEMENT

Pursuant to 37 CFR § 1.56 and in accordance with 37 CFR §§ 1.97-1.98, information relating to the above-identified application is hereby disclosed. Inclusion of information in this statement is not to be construed as an admission that this information is material as that term is defined in 37 CFR § 1.56(b).

☐ **IDS Filed Under 37 CFR 1.97(b)**

In accordance with § 1.97(b), since this Information Disclosure Statement is being filed either within three months of the filing date of the above-identified application, within three months of the date of entry into the national stage of the above identified application as set forth in § 1.491, before the mailing date of a first Office Action on the merits of the above-identified application, or before the mailing date of a first Office Action after the filing of request for continued examination under § 1.114, no additional fee is required.

☒ **IDS filed Under 37 CFR 1.97(c)**

In accordance with § 1.97(c), this Information Disclosure Statement is being filed after the period set forth in § 1.97(b) above but before the mailing date of either a Final Action under § 1.116 or a Notice of Allowance under § 1.311, or before an action that otherwise closes prosecution in the application, therefore:

- ☐ Certification in Accordance with § 1.97(e) is attached; or
- ☒ The fee of **\$180.00** as set forth in § 1.17(p) is attached.

☐ **IDS filed Under 37 CFR 1.97(d)**

In accordance with § 1.97(d), this Information Disclosure Statement is being filed after the mailing date of either a Final Action under § 1.113 or a Notice of Allowance under § 1.311 but before, or simultaneously with, the payment of the Issue Fee, therefore included are: Certification in Accordance with § 1.97(e); and the submission fee of **\$180.00** as set forth in § 1.17(p).

**CONTENT OF IDS PURSUANT TO 37 CFR 1.98**

- ☒ A copy of reference number 151 listed on the attached Form PTO-1449 is not required to be submitted pursuant to 37 CFR § 1.98(a)(2)(iii).
- ☒ Copies of reference numbers 152-155 listed on the attached Form PTO-1449 are enclosed herewith.
- ☐ Copies of reference numbers \_\_\_\_\_ are not being submitted because they were previously cited by or submitted to the U.S. Patent and Trademark Office in patent application number \_\_\_\_\_, filed \_\_\_\_\_ for which a claim for priority under 35 U.S.C. § 120 has been made in the instant application.
- ☐ The month of publication for reference numbers \_\_\_\_\_ is not available. However, the year of publication for these references is sufficiently earlier than the effective US filing date and any foreign priority date so that the particular month of publication is not in issue pursuant to 37 CFR § 1.98(b).

**REFERENCES IN A LANGUAGE OTHER THAN ENGLISH**

- ☒ The following documents are not in the English language. Accordingly, a concise explanation of the relevance of the document was incorporated in the specification passages identified below, the document was identified in a foreign communication as identified below or an English language counterpart application has been provided as indicated below.

| Foreign Language Document | Cite No. | Pages of Reference in Specification or Relevance of Document  |
|---------------------------|----------|---|
| WO 03/084605              | 155      | Cited in an Official Action Dated December 27, 2010 in Related Japanese Application No. 2007-508573 |

| Foreign Language Document | Cite No. | English Language Counterpart | Cite No. |
|---------------------------|----------|------------------------------|----------|
| JP 2000-504966            | 152      | WO 98/06342                  | 154      |
| JP 2003-180649            | 153      | 6,849,040 B2                 | 151      |

☐ **CERTIFICATION IN ACCORDANCE WITH § 1.97(e)**

I hereby certify that:

- ☐ Each item of information contained in this information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this information disclosure statement.
- ☐ No item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in this information disclosure statement was known to any individual designated in § 1.56(c) more than three months prior to the filing of this information disclosure statement.

Please charge any deficiency or credit any overpayment to Deposit Account No. 23-3050.

Date: March 28, 2011

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